

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Egbert Classen et al.
Application Number:	10/581,652
Filing Date:	02/16/2007
Group Art Unit:	1711
Examiner:	Jason Paul Riggleman
Title:	DISHWASHER

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Pursuant to 37 CFR 41.41, Appellants hereby file a Reply Brief in the above-identified application.

STATUS OF CLAIMS

Claims 11-21 are pending and are the basis of this appeal. Claims 1-10 were canceled in the June 7, 2006 Preliminary Amendment. Claims 11 and 21 are independent.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

(a) Whether claims 11-21 are unpatentable under 35 U.S.C. § 103(a) over Hesse (German Patent Publication No. DE3741652) in view of Tarplee et al.

REPLY ARGUMENT

In the Appeal Brief, Appellants respectfully submitted that Hesse discloses the use of a heat exchanger within a dishwasher for reducing moisture in air in a closed system after the dishes have been washed, and the cleaning water drained. This use for reducing moisture and time after the dishes have been washed teaches away from the assessment in the Advisory Action. Appellants respectfully submit that there is no disclosure, nor would the Hesse heat exchanger be applied to heating rinsing liquid with the *thermal energy used for desorbing the claimed sorber* as claimed.

The Response to Arguments in the Examiner's Answer states that the arguments are not commensurate in scope with the claims, and that the claims state that "to provide the thermal energy used for desorbing the sorber such that at least one of the rinsing liquor and the items located in the washing container are heated thereby". The Response to Arguments further states that in Hess, the items in the washing container are heated by the heated air -- since the air (see heater at 13) is returned to the wash container and that this was stated in the Advisory Action in that "since the heat exchanger heats the air which is circulated it follows that the items in the container are necessarily heated." Appellants respectfully submit that this heating is not in conjunction with thermal energy used for desorbing the sorber.

CONCLUSION

In view of the foregoing discussion, Appellants respectfully request reversal of the Examiner's rejections.

Respectfully submitted,

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